

Date: November 28, 2006

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

Agenda Item No. 8(P)(1)(B)

From: George M. Burges
County Manager



Subject: Resolution Designating a Portion of Miami-Dade County Owned Property as Road Right-of-Way for the NW 87 Avenue from NW 58 Street to NW 74 Street Roadway Improvement Project in Section 16-53-40

RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) approve the attached resolution designating a portion of Miami-Dade County owned property as road right-of-way for the NW 87 Avenue, from NW 58 Street to NW 74 Street, for a roadway improvement project in Section 16, Township 53 South, Range 40 East, Miami-Dade County, Florida.

BACKGROUND

The Florida Department of Transportation (FDOT) will be improving NW 87 Avenue, from NW 58 Street to NW 74 Street. The Public Works Department (PWD) has obtained the right-of-way needed for the project, less a portion of land contiguous to the northwest corner of NW 87 Avenue and NW 58 Street. Said portion of real property is under the responsibility and use by the Miami-Dade County Department of Solid Waste Management (SWM). The proposed road designation is needed to complete the road right-of-way to improve the right turn movement at this intersection which experiences significant traffic volume.

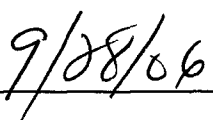
The land to be designated is subject to an existing drainage easement for the enclosure of a portion of the NW 58 Street Canal, according to an Easement Deed dated October 27, 1964, recorded in Official Records Book 4396, Page 600, of Miami-Dade County, Florida. The proposed use of said land will not interfere with the function of the enclosed canal. The Department of Environmental Resource Management (DERM) has reviewed the plan for that intersection and concurs with the proposed designation.

The Directors of SWM, DERM and the PWD concur with the public benefits to be derived from the designation of this parcel for road right-of-way purposes and recommend approval of the subject resolution.

FISCAL IMPACT

This road designation does not represent a fiscal impact to the County.


Assistant County Manager


Date



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 28, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 8(P)(1)(B)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(P)(1)(B)

11-28-06

RESOLUTION NO. _____

RESOLUTION DESIGNATING A PORTION OF MIAMI-DADE
COUNTY OWNED PROPERTY AS ROAD RIGHT-OF-WAY
FOR THE NW 87 AVENUE FROM NW 58 STREET TO NW 74
STREET ROADWAY IMPROVEMENT PROJECT, IN
SECTION 16, TOWNSHIP 53 SOUTH, RANGE 40 EAST

WHEREAS, the Directors of the Departments of Environmental Resources Management, Solid Waste Management and Public Works have recommended that a portion of County-owned land be designated as public road right-of-way, and the County Manager has concurred in said recommendation as outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby designates and declares as road right-of-way the lands owned by Miami-Dade County described in Exhibits "A" and "B" attached hereto and made a part hereof, subject to an existing canal drainage easement, as set forth in the accompanying memorandum from the County Manager.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman
Dennis C. Moss, Vice-Chairman

Bruno A. Barreiro
Audrey M. Edmonson
Sally A. Heyman
Dorrin D. Rolle
Katy Sorenson
Sen. Javier D. Souto

Jose "Pepe" Diaz
Carlos A. Gimenez
Barbara J. Jordan
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this
28th day of November, 2006. This resolution shall become effective ten (10) days after the
date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only
upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.


Thomas Goldstein

EXHIBIT "A"

Legal Description of Parcel:

A portion of the SE 1/4 of the SE 1/4 of the SE 1/4 of Section 16, Township 53 South, Range 40 East, Miami-Dade County, Florida, being more particularly described as follows:

COMMENCE at the Southeast corner of the SE 1/4 of said Section 16, thence run S89°31'36"W along the South line of the SE 1/4 of said Section 16, for a distance of 244.60 feet to a point; thence run N 00°28'24" W, perpendicular to the previous line, for a distance of 40.00 feet to the **POINT OF BEGINNING**; thence run N 89°31'36" E, along the North line of the South 40.00 feet of the SE 1/4 of said Section 16, for a distance of 144.60 feet to a point; thence run N 00°26'26" W for a distance of 5.00 feet to a point; thence run N 89°31'28" E for a distance of 18.97 feet to the point of intersection with the West line of the East 80.00 feet of the SE 1/4 of said Section 16; thence run N 01°45'34" W, along the West line of the East 80.00 feet of the SE 1/4 of said Section 16, for a distance of 63.70 feet to the point of intersection with a line perpendicular to the East line of the SE 1/4 of said Section 16; thence run N 88°14'26"E, along the said perpendicular line, for a distance of 40.00 feet to the point of intersection with the West line of the East 40.00 feet of the SE 1/4 of said Section 16; thence run N 01°45'34" W, along the said West line, for a distance of 134.09 feet to the point of intersection with the North line of the South 243.64 feet of the SE 1/4 of said Section 16; thence run N 89°31'36" E, along the said North line, for a distance of 5.00 feet to the point of intersection with the West line of the East 35.00 feet of the SE 1/4 of said Section 16; thence run S 01°45'34" E, along the West line of the East 35.00 feet of the SE 1/4 of said Section 16, for a distance of 208.69 feet to the point of intersection with the North line of the South 35.00 feet of the SE 1/4 of said Section 16; thence run S 89°31'36"W, along the said North line, for a distance of 208.69 feet to the point of intersection with the West line of the East 243.64 feet of the SE 1/4 of said Section 16; thence run N 01°45'34" W, along the said West line, for a distance of 5.00 feet to the **POINT OF BEGINNING**.

AND SUBJECT TO an existing drainage easement dated October 27, 1964

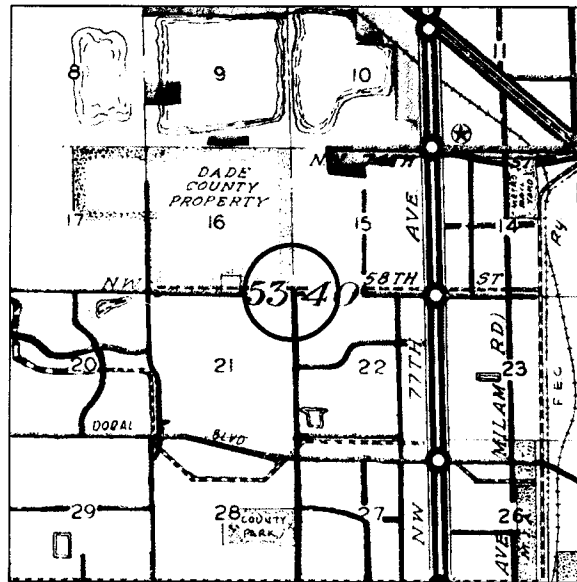
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recorded at Official Records Book 4396, Page 600 and legally described as follows:

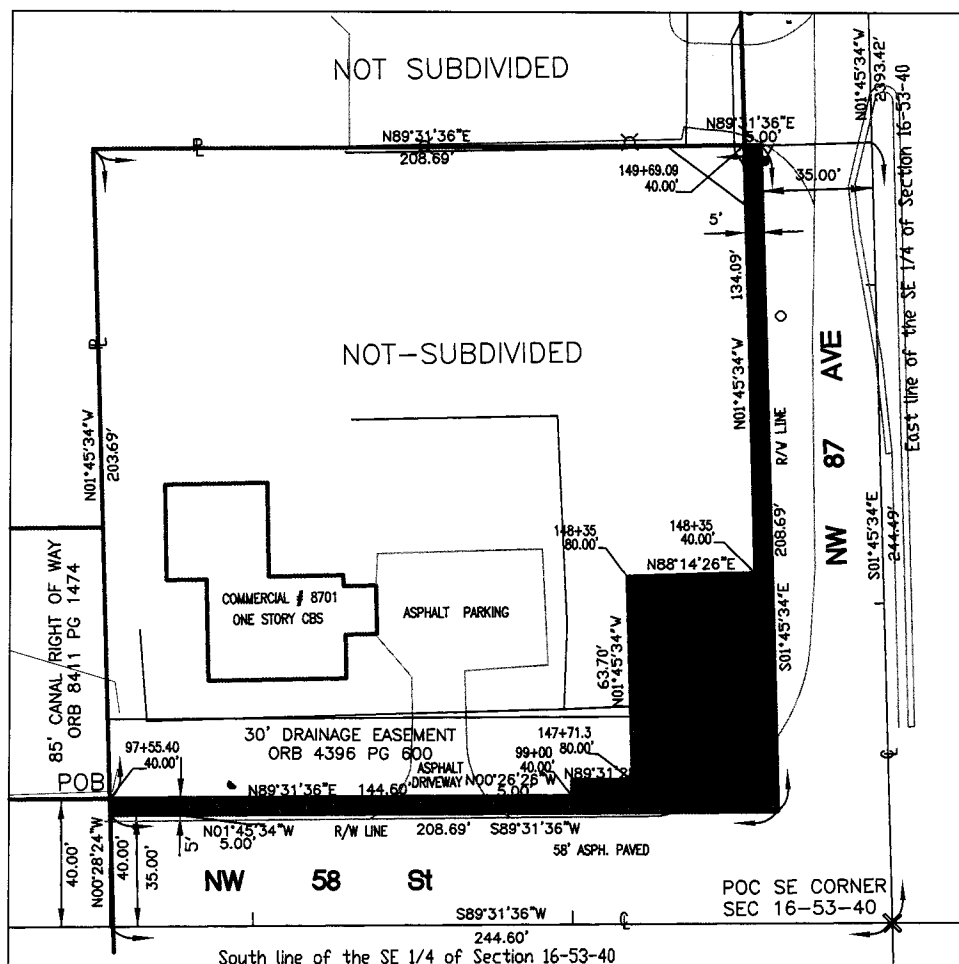
The South thirty (30') feet of the following described parcel of land in the SE 1/4 of the SE 1/4 of the SE 1/4 of Section 16, Township 53 South, Range 40 East, Miami-Dade County, Florida:

Beginning at the Southeast corner of the SE 1/4 of the SE 1/4 of the SE 1/4 of said Section 16, run North along the East line of said SE 1/4 of the SE 1/4 of the SE 1/4 for a distance of 243.70 feet to a point; thence run West parallel to the South line of said SE 1/4 of the SE 1/4 of the SE 1/4 for a distance of 243.70 feet to a point; thence run South parallel to the East line of said SE 1/4 of the SE 1/4 of the SE 1/4 for a distance of 243.70 feet to a point on the South line of said SE 1/4 of the SE 1/4 of the SE 1/4; thence run East along the South line of said SE 1/4 of the SE 1/4 of the SE 1/4 for a distance of 243.70 feet to the point of beginning; excepting therefrom the East 35 feet and the South 35 feet.

SEC 16
TWP 53 S
RGE 40 E



Not to Scale



NW 87 AVE (Galloway Rd) and NW 58 Street

R/W to be road designated

THIS IS NOT A SURVEY